

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

UNITED STATES OF AMERICA

V.

THOMAS SCOTT PERKINS

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§

Cause No. P-20-CR-388 (1)

ORDER OF DETENTION PENDING TRIAL
(risk of flight and danger to community)

The Government moved to detain the Defendant on the basis of Title 18, U.S.C. § 3142. In accordance with the Bail Reform Act, 18, U.S.C. § 3142 (f), a detention hearing has been held. I conclude that detention of the Defendant is required pending trial in this case for the following reason(s):

FINDINGS RELATED TO DETENTION

1) The evidence and punishment range against the Defendant are substantial. On September 10, 2020, a federal Grand Jury returned a two-count Indictment against the Defendant for possession and distribution of child pornography. If convicted, the Defendant's statutory penalty range for Count One is up to 10 years imprisonment, a minimum 5 years to life supervised release, a fine not to exceed \$250,000.00, and a \$100.00 mandatory special assessment. If convicted, the Defendant's statutory penalty range for Count Two is up to 5–20 years imprisonment, a minimum 5 years to life supervised release, a fine not to exceed \$250,000.00, and a \$100.00 mandatory special assessment.

2) **The Court took judicial notice of the Complaint, Affidavit in support of the Complaint, Indictment and the Pretrial Services Report.** Special Agent David Ferg with Homeland Security Investigations testified concerning the facts of the case.

The Defendant's father, John Perkins Sr., testified.

3) The Defendant is unemployed and does not have a suitable living arrangement.

The Court finds there is no condition or combination of conditions which would reasonably assure the appearance of the Defendant as required and the safety of the community, taking into account all the available information presented to the Court. There is clear and convincing evidence that the Defendant is a danger to the community as well as a preponderance of evidence which indicates that the Defendant is a flight risk. Therefore, the Defendant is **DETAINED**.

DIRECTIONS REGARDING DETENTION

In light of the findings and reasons set forth above, it is **ORDERED** that:

- 1) The Defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal during the time he awaits trial;
- 2) The Defendant be afforded opportunity for private consultation with his counsel during this period in detention;
- 3) The facility where the Defendant will be placed shall make the Defendant available to the United States Marshals Service for any appearance in connection with a Court proceeding in this matter; and,
- 4) In the event of an appeal of this detention order, the Pretrial Services' Report shall be sealed and made part of the record in this cause.

It is so **ORDERED**.

SIGNED this 28th day of September, 2020.



DAVID B. FANNIN
UNITED STATES MAGISTRATE JUDGE